

Attorney Docket No. P67758US0

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of Jan BIESCHKE et al.

Serial No. 10/089,233

Filed March 28, 2002

For QUANTITATIVE ANALYSIS AND TYPING OF SUBCELLULAR PARTICLES

## CONSENT OF ASSIGNEE UNDER 37 CFR 1.497(d)(3)

Commissioner for Patents  
Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231

Sir:

Evotec OAI AG, a corporation of Germany, assignee of the instant application pursuant to an Assignment from inventor Manfred Eigen, a copy of which is attached, hereto, consents in accordance with 37 CFR 1.497(d)(3) to the filing of the inventorship declaration, a copy of which is attached, hereto, under 35 USC 371(c)(4) and 37 CFR 1.497 on December 19, 2002, which inventorship declaration names an inventive entity different from the inventive entity set forth in international application PCT/EP00/09468, filed September 28, 2000.

Evotec OAI AG

February 19, 2003  
Date

By: M. Leinkühler Christian v. Spiegel  
(Name) DR. H. LEINKÜHLER Christian v. Spiegel  
(Title) HEAD OF I.P. Head of Legal

Atty. Docket No. P67758US0

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Serial No. 10/089,233

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For QUANTITATIVE ANALYSIS AND TYPING OF SUBCELLULAR PARTICLES

## STATEMENT UNDER 37 CFR 1.497(d)(1)

Commissioner of Patents  
Box PCT  
Washington, D.C. 20231

Sir:

Manfred EIGEN, a citizen of Germany, states that any error in inventorship in international application PCT/EP00/09468, filed September 28, 2000, occurred without deceptive intention on his part.

FEB. 19. 2003.

Date

  
Manfred EIGEN

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In re the Application of: Jan BIESCHKE et al.

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## STATEMENT UNDER 37 CFR 1.497(d)(1)

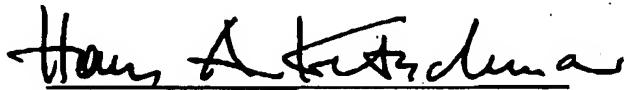
Commissioner of Patents  
Box PCT  
Washington, D.C. 20231

Sir:

Hans A. KRETZSCHMAR, a citizen of Germany, states that any error in inventorship in international application PCT/EP00/09468, filed September 28, 2000, occurred without deceptive intention on his part.

19 February 2003

Date



Hans A. KRETZSCHMAR

+49 40 56081222)

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## UNITED STATES OF AMERICA - ASSIGNMENT

(1-5) Insert Name(s) of Inventors

(1) Jan BIESCHKE

(2) Armin GIESE

(3) Manfred EIGEN

(4) A. KRETZSCHMAR

(5)

In consideration of the sum of one dollar (\$1.00), and other good and valuable considerations paid to each of the undersigned, the receipt and sufficiency of which are hereby acknowledged, the undersigned hereby assigns, transfers and sets over to

COPY

and

(6) Insert Name of Assignee

(6) Evotec OAI AG

(7) Insert Address of Assignee

(7) of Schnackenburgallee 114, 22525 Hamburg, Germany

(8) Insert Legal Entity and State or Country (e.g., a corporation or citizen of Japan)

(8) a Corporation of GERMANY

(hereinafter designated as the Assignee) the entire right, title and interest for the United States, its territories, dependencies and possessions, in the invention known as

(9) Insert Identification of Invention, such as Title, Case Number or Foreign Application Number

(9) QUANTITATIVE ANALYSIS AND TYPING OF SUBCELLULAR PARTICLES

(10) Insert Date of signing of Application, or filing date and Serial No., if known

(10) Said application having been executed/ filed on March 28, 2002 (and assigned Serial No. 10/089,233 )

1) The undersigned agree(s) to execute all papers necessary in connection with this application and any continuing or divisional applications and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

2) The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning this or any continuing or divisional applications thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

3) The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims provisions of the International Union for Protection of Industrial Property or similar agreements.

4) The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the

5) The undersigned hereby authorize(s) and request(s) the Commissioner of Patents and Trademarks to issue any and all Letters Patents United States resulting from this application or any continuing or divisional applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not executed, and will not execute any agreement in conflict herewith.

6) Assignor hereby further assigns to Assignee all claims and causes of action for infringement of the patent rights assigned herein, including right to sue for, and collect damages for, any and all acts of past and future infringement.

7) The undersigned hereby grant(s) the law firm of Jacobson Holman PLLC, 400 Seventh Street, N.W., Washington, D.C.

20004, the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

Date	X	Name of Inventor	Jan BIESCHKE	X	(SEAL)
			typed name	signature	
Date	X	Name of Inventor	Armin GIESE	X	(SEAL)
			typed name	signature	
Date	X August 11 <sup>th</sup> 02.	Name of Inventor	Manfred EIGEN	X	(SEAL)
			typed name	signature	
Date	X	Name of Inventor	A. KRETZSCHMAR	X	(SEAL)
			typed name	signature	
Date		Name of Inventor			(SEAL)
			typed name	signature	

This assignment should preferably be signed before a United States Consul if signed abroad, or a Notary Public if domestically signed. If not, then the execution by the inventor(s) should be witnessed by at least two witnesses who sign here:

☐ Additional inventor's names and on a separate sheet.

Witness

Witness

X Ruthild Winkler RUTHILD WINKLER

LAW OFFICES OF  
**JACOBSON HOLMAN**  
 PROFESSIONAL LIMITED LIABILITY COMPANY  
 THE JENIFER BUILDING  
 400 SEVENTH STREET, N.W.  
 WASHINGTON, D.C. 20004